



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

June 13, 2007

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

LUIS MAZARIEGOS
LAVERLAM INTERNATIONAL CORPORATION
117 SOUTH PARKMONT
BUTTE, MT 59701

Dear Mr. Mazariegos:

Subject: Transfer of Pesticide Registrations From Company Number 70810 to Company Number 82074

Pursuant to your request in your letter and transfer agreement of January 5, 2007 which was received by the Agency on May 31, 2007, we have approved the transfer of the following registrations from **EMERALD BIOAGRICULTURE CORPORATION**, company number 70810 to **LAVERLAM INTERNATIONAL CORPORATION**, company number 82074.

The effective date of these changes is the date of this letter.

<u>Registered Products</u>	<u>Old EPA Reg. No.</u>	<u>New EPA Reg. No.</u>
MYCOTROL ES	70810-6	82074-1
BOTANIGARD 22WP	70810-8	82074-2
ORGANIGARD EMULSIFIABLE SUSPENSION MYCOINSECTICIDE	70810-10	82074-3

You should indicate the new company designation, new EPA Registration Number and new Establishment Number (if it has changed) on the labeling at the next printing which should occur no later than 18 months after the effective date of this transfer. After 18 months, any product released for shipment must bear the new Registration Number and Establishment Number. If you intend to use the labels which currently appear on the transferor's product after the effective date of the transfer, but within the 18 month grace period, you must maintain complete and accurate records which identify by batch number, lot number, or other suitable description the quantities of such product bearing the transferor's label. Each container or package bearing the transferor's label which is released after the effective date of product registration transfer, must be clearly and accurately marked with the batch number, lot number or other descriptive designation used to identify the product in your records.

Supplemental distribution agreements of registered products do not transfer with the

Section 3 registration. It is your responsibility as the registrant to notify any and all supplemental distributors of the transferred product(s) of this transfer agreement. If you wish to enter into supplemental distribution agreements of your product(s) under this new registration, the form "Notice of Supplemental Distribution of a Registered Pesticide Product," EPA Form 8570-5, must be submitted to the Agency for each supplemental distributorship.

You are required to contact your local EPA Regional Office to determine what effect this transfer of pesticide registrations has on the pesticide production establishment registration.

It will not be necessary to submit labeling for review if the only changes are in the company designation and the EPA Registration Number. Other changes in the product and/or labeling may require EPA review and approval prior to initiation. In any correspondence on these products always refer to the U.S. EPA Registration Number listed above.

The transferred registration will have the same status under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, 7 USC 136 et seq., as it had prior to the approval of this transfer.

When registrations are transferred from one company to a second company, all restrictions, data requirements, conditions (suspensions), and deadlines existing on the registrations are transferred with the registrations. The new company is responsible for adhering to or complying with all such restrictions, etc. on the acquired products.

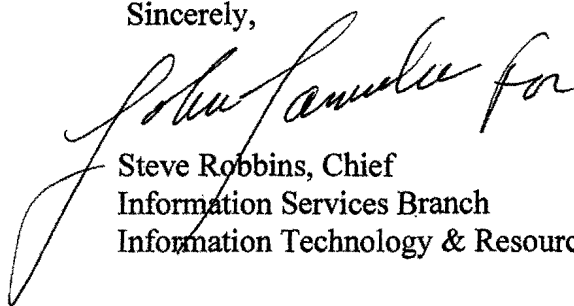
In regard to deadlines, the transferee company is responsible for submitting all required data according to the schedules already established for the acquired products. Failure to do so will result in the issuance of a Notice of Intent to Suspend. Requests from transferee companies for additional time to submit, because they acquired the registration(s) after the 3(c)(2)(B) request was issued will not be granted. If a transferee company has other valid reasons for delays in the testing which were clearly outside of their control, then such requests for time extensions will be considered in accordance with the established procedures. Transfers occurring while a 3(c)(2)(B) request is being issued or during the 90-day response time are subject to the same conditions expressed above.

Registration is in no way to be construed as an endorsement or approval of these products by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with FIFRA.

Furthermore, the transfer of the subject registrations is approved under the condition that the annual maintenance fee obligation has been fully satisfied. The marginal maintenance fee is determined based solely on the total number of active section 3 and section 24(c) registrations held by the transferor. If the annual maintenance fee has not been fully satisfied, the transferee and transferor will be notified to comply within a specified time period or the affected registrations may be canceled.

By copy of this letter we are informing the transferor of these changes. If you have any questions about this transfer approval please contact Kathleen O'Malley at (703) 305-5411

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve Robbins for".

Steve Robbins, Chief
Information Services Branch
Information Technology & Resource Management Div. (7504P)

cc: LORI J. WALSH, AGENT FOR
EMERALD BIOAGRICULTURE CORPORATION
2123 UNIVERSITY PARK DR., SUITE 105
OKEMOS, MI 48864

CHECKLIST for TRANSFER of REGISTRATION(S) ONLY

Transferor: Emerald BioAgriculture Corporation

Co. #: 70810

Transferee: Laverlam International Corporation

Co. #: 82074

Transfer Type: Registration

Date: 1/5/07 - LTR PP: 5/31/07

CHECK	REQUIREMENTS	COMMENTS
✓	Entry into Log Book	✓ Company info checked in OPPIN and printed
✓	Products verified in OPPIN (active/cancelled/suspended, etc.)	✓ Maintenance Fee Records checked (active/cancelled/SLN/fee paid)
	Ensure That the Package Contains the Following:	
✓	(1) XFER Agreement Has Original Signatures from Both Companies?	
✓	(2) Name, Address & State of Incorporation of Transferor (& Co. #)	OPPIN Company record reflects current business office address shown on Transfer Agreement; mailing address shows Agent Name & address located in Michigan.
✓	(3) Name, Address & State of Incorporation of Transferee (& Co. #.)	
✓	(4) Name(s) / List & EPA Registration No.(s) of the product(s) being transferred.	Registrations 70810-6; 70810-8 & 70810-10
✓	(5) Statement that the Transferor transfers to the Transferee all right, title, and interest in the EPA registration(s) listed in the document.	
✓	(6) Statement that the transferred registration(s) shall not serve as collateral or otherwise secure any loan or other payment arrangement or executory promise. The reg'n(s) shall not revert to the Transferor unless a new transfer agreement is submitted to & approved by the Agency	
✓	(7) Description of the general nature of the underlying transaction, e.g., merger spin-off, bankruptcy (no financ'l info. need be disclosed)	Transferor has divested from the Beauveria business; Transferee has purchased rights to products.
✓	(8) Statement that the Transferor and Transferee understand that any false statement may be punishable under law (18 USC1001)	
✓	(9) An acknowledgement by Transferee that his rights & duties concerning the reg'n under FIFRA will be deemed by EPA to be the same as those of the Transferor at the time the transfer is approved.	
	(10) Notarized Statement from Transferor Affirming that:	
✓	(A) The person signing the transfer agreement is authorized by the registrant to bind the Transferor.	
✓	(B) No court order prohibits the transfer, & that any required court approvals have been obtained.	
✓	(C) The transfer is authorized under all relevant Federal, State & local laws, & all relevant corporate charters, bylaws, partnerships, or other agreements.	
	Note: It is preferable that the Affirmation Statement be signed by someone other than the person signing the transfer agreement.	
✓	Look in Card File for Next REG #(s) and EUP # / (pencil in #s in card file.)	82074-1
✓	OPPIN Work 6/13/07	
✓	Generate Letter and Give to Branch Chief for Signature	
	Copies of Letter Made and Distributed/Mailed	
✓	Transferor	✓ Bob L. and Ollie Y. Copies
✓	Transferee	✓ In Transfer File
✓	Updated Log Book	Completed: <i>Robert O'Reilly</i> Date: 6/14/07

ROUTING AND TRANSMITTAL SLIP

Date

06/06/07

TO: (Name, office symbol, room number,
building, Agency/Post)

Initials

Date

1. Kathleen O'Malley (Initial Review)	KOM	6/6/07
2. Lou Vaughn (Review)	Luc	6/13/07
3. Kathleen O'Malley (OPPIN Transfer & Letter)	KOM	6/13/07
4. Lou Vaughn (Review Letter)	Luc	6/13/07
5. Steve Robbins (Approval and Signature)	SR	6/14/07
6.		
7.		
8.		
9.		
10.		

<input type="checkbox"/> Action	<input type="checkbox"/> File	<input type="checkbox"/> Note and Return
<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> For Clearance	<input type="checkbox"/> Per Conversation
<input type="checkbox"/> As Requested	<input type="checkbox"/> For Correction	<input type="checkbox"/> Prepare Reply
<input type="checkbox"/> Circulate	<input type="checkbox"/> For Your Information	<input type="checkbox"/> See Me
<input type="checkbox"/> Comment	<input type="checkbox"/> Investigate	<input checked="" type="checkbox"/> Signature
<input type="checkbox"/> Coordination	<input type="checkbox"/> Justify	

REMARKS

Transfer of 3 Product Registrations FROM Emerald BioAgriculture Corporation (Company Number 70810) TO Laverlam International Corporation (Company Number 82074).

DO NOT use this form as a RECORD of approvals, concurrences, disposals,
clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Kathleen O'Malley

Room No. - Bldg.

S-6318; PY1

Phone No.

(703) 305-5411

OPTIONAL FORM 41 (Rev. 1-94)
Prescribed by GSA

Registration Details

Company: 70810 EMERALD BIOAGRICULTURE CORPORATION

Risk Mgr: RM 92 Biologicals & Pollution Prevention Division, PM Team 92

Organization: BPPD / MPB

Current Status: Conditionally Registered (10-Mar-1997)

Reg. Number: 70810-6 Pesticide Type: Microbial

Use Type: EP Signal Word: Caution

Repack: ☐ Yes ☒ No Latest Approved Label:

NPIC Phone: ☐ Yes ☒ No No Ingredient? ☐ WPS Written Notification: ☐ Yes ☒ No

Related Products Restricted Use ☒ Reg. Expiration Date

Use Patterns Transfer History Toxicology Mode Of Action FR Notice Receipts

Product Name Ingredient Formulation Property Pesticide Category Permitted State

Product Name Name Status

MYCOTROL ES Active

Tracking

Status

Sites/Pests

CSF

Data Requirements

Generate Rqmts

Inert Ingredients

OPP in Product Land. OPP in Query product display
is not showing product name. KOM-6/6/07

Registration Details

Company: 70810 EMERALD BIOAGRICULTURE CORPORATION

Risk Mgr: RM 92 Biologicals & Pollution Prevention Division, PM Team 92

Organization: BPPD / MPB

Current Status: Conditionally Registered (04-May-1998)

Reg. Number: 70810-5 Pesticide Type: Microbial High Exposure? ☐

Use Type: EP Signal Word: Caution

Repack: ☐ Yes ☒ No Latest Approved Label:

NPIC Phone: ☐ Yes ☒ No No Ingredient? ☐ VPS Written Notification: ☐ Yes ☒ No

Related Products Restricted Use ☒ Reg. Expiration Date

Use Patterns Transfer History Toxicology Mode Of Action FR Notice Receipts

Product Name Ingredient Formulation Property Pesticide Category Permitted State

Product Name	Name Status
BOTANIGARD 22WP	Active

WPS-PPE

Label Image

Container Info

E-Jacket

Tracking

Status

Sites/Pests

CSF

Data Requirements

Generate Rqmts

Inert Ingredients

OPPins Product Record. OPPins Query product display is not showing product name. KOM 6/6/07

Registration Details

Company: 70810 EMERALD BIOAGRICULTURE CORPORATION

Risk Mgr: RM 92 Biologicals & Pollution Prevention Division, PM Team 92

Organization: BPPD / MPB

Current Status: Conditionally Registered (12-Apr-1999)

Reg Number: 70810-10 Pesticide Type: Microbial High Exposure? ☐

Use Type: EP Signal Word: Caution

Repack: ☐ Yes ☒ No Latest Approved Label:

NPIC Phone: ☐ Yes ☒ No No Ingredient? ☐ WPS Written Notification: ☐ Yes ☒ No

Related Products Restricted Use ☒ Reg. Expiration Date

Use Patterns Transfer History Toxicology Mode Of Action FR Notice Receipts

Product Name Ingredient Formulation Property Pesticide Category Permitted State

Product Name	Name Status
ORGANIGARD EMULSIFIABLE SUSPENSION MY/CONCENTRATE	Active

WPS-PPE

Label Image

Container Info

E-Jacket

Tracking

Status

Sites/Pests

CSF

Data Requirements

Generate Rqmts

Inert Ingredients

*OPP in Product Locat. OPP in Query display is
not showing product name.*

Company Maintenance

Company Name and Address Information

Company#	70810	Division	
Company Name	EMERALD BIOAGRICULTURE CORPORATION	Office	
Street	3125 SOVEREIGN DRIVE, SUITE B	Branch	
PO Box		Contact	
City	LANSING	Phone	() - ()
State/Zip	MI 48911-4240	Fax	() -
Country	UNITED STATES	Email	
Undeliverable?	<input type="checkbox"/>	Reason	Maintenance Fee
Address Type	Company Address	Comments	
Document Date	29-Apr-1997	Next EUP	0
		Next ECR	1
		Next Sect3	0
		Version History	

Agent

Other Company Addresses

Consortia

Waiver Documentation

Agent Name	LORI J. WALSH	Agent Comment	
Contact Person			
Street Address	2123 UNIVERSITY PARK DR., SUITE 105		
PO Box			
City/State/Zip	OKEMOS MI 48864-	Address Type	Official Mailing
Country	UNITED STATES	Email	
Phone	(406)782-2386 (11)	Undeliverable?	<input type="checkbox"/>
Fax	() -		

Viewing Record 1 of 1

*Block 1 Above reflected current company address on
Transfer Agreement. K.O. Kelly, 6/6/07*

January 5, 2007



Document Processing Desk (Distribution Code COADR),
Office of Pesticide Programs, 7504C
U.S. Environmental Protection Agency,
Ariel Rios Building
1200 Pennsylvania Ave. NW
Washington, D.C. 20460-0001

Ref: Transfer of Registrations

Dear Madam/Sir:

This letter is to inform the U.S. Environmental Protection Agency of the transfer of registrations and data rights from Emerald BioAgriculture to Laverlam International Corporation of the products mentioned below.

Transferor information:

Emerald BioAgriculture Corporation
3125 Sovereign Drive, Suite B
Lansing, Michigan 48911 ✓
Ph: 517-882-7370
State of Incorporation: Delaware
EPA Assigned No.: 70810

Transferee information:

Laverlam International Corporation
117 South Parkmont
Butte, Montana 59701 ✓
Ph: 406-782-2386
State of Incorporation: Montana
EPA Assigned No.: 82074

The EPA registration numbers and products being transferred as as follows:

Mycotrol ES/BotaniGard ES – EPA Reg. No. 70810-6
BotaniGard 22WP – EPA Reg. No. 70810-8 ✓
Organigard/Mycotrol O – EPA Reg. No. 70810-10

Emerald BioAgriculture Corporation transfers irrevocably to the transferee all right, title, and interest in the EPA registrations listed in the document. The transferred registrations will not serve as collateral or otherwise secure any loan or other payment arrangement or executory promise, and that the registrations will not revert to the transferor unless a new transfer agreement is submitted to and approved by the EPA. ✓

The reason for the transfer is that Emerald BioAgriculture Corporation has divested from the Beauveria business and Laverlam International Corporation has purchased the rights to the
aforementioned products from Emerald BioAgriculture Corporation.

Emerald BioAgriculture Corporation and Laverlam International Corporation understand that any false statement may be punishable under 18 U.S.C. 1001. Laverlam International Corporation acknowledges that it's rights and duties concerning the registration under FIFRA and this chapter will be deemed by EPA to be the same as those of Emerald BioAgriculture Corporation at the time the transfer is approved.

IN WITNESS WHEREOF, the transferor affirms the following statements to be true and accurate:

- (1) The person signing the transfer agreement is authorized by the registrant to bind the transferor;
- (2) No court order prohibits the transfer, and that any required court approvals have been obtained; and
- (3) The transfer is authorized under all relevant Federal, State and local laws and all relevant corporate charters, bylaws, partnerships, or other agreements.

Emerald BioAgriculture Corporation

By Michael T. Day
Its CFO

STATE OF MICHIGAN)
)
County of ~~Ingham~~ Eaton) ss,

On this 5th day of January, 2007, before me, a Notary Public for the State of Michigan, personally appeared Michael Day, known to me to be the CFO of Emerald BioAgriculture Corporation, and who subscribed to the within instrument and acknowledged to me that _____ executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

Trisha A VanDerBos
Notary Public
Eaton County, Michigan
My Commission Expires 02/07/2013
Acting in Ingham County

Trisha A. VanDerBos
Notary Public for the State of Michigan
Residing at Fifth Third Bank
My commission expires 2/7/2013

ACCEPTANCE OF REGISTRATION TRANSFER

Laverlam International Corporation, Transferee named in the above Registration Transfer document, hereby accepts the above transfer and agrees to perform and be bound by each and all of the terms and obligations under the above-referenced document.

Laverlam International Corporation

By [Signature]
Its PRESIDENT

**Summary Information For
Company 70810, EMERALD BIOAGRICULTURE CORPORATION**

Company No: 70810
Company Name: EMERALD BIOAGRICULTURE CORPORATION
Division Name:
Office Name:
Branch Name:
Agent Name: LORI J. WALSH
Agent Contact:
Agent Phone: (406) 782-2386 (11)
Official Address: 2123 UNIVERSITY PARK DR., SUITE 105
OKEMOS, Michigan 48864
UNITED STATES

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Last updated on February 4, 2004, Version 1.4
<http://dcopp10gas01:7777/pls/prism10p>

Agent address listed Above

Summary Information For
Company 82074, LAVERLAM INTERNATIONAL CORPORATION

Company No: 82074
Company Name: LAVERLAM INTERNATIONAL CORPORATION
Division Name:
Office Name:
Branch Name:
Contact Name: LUIS MAZARIEGOS
Contact Phone: (406) 782-2386
Agent Name:
Official Address: 117 SOUTH PARKMONT
BUTTE, Montana 59701
UNITED STATES

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